

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In Re:

LUIS PERALES and CYNTHA  
PERALES

Debtor(s)

Case No. 1:19-bk-02618

Chapter 13

Honorable Timothy A. Barnes

**NOTICE OF MOTION**

To: *service list affixed*

PLEASE TAKE NOTICE that on August 6, 2020, at 1:00 PM, I will appear before the Honorable Timothy A. Barnes, or any Judge sitting in that Judge's place, and present **DEBTORS' MOTION TO AUTHORIZE RELEASE OF INSURANCE PROCEEDS**, a copy of which is attached.

**This Motion will be presented and heard telephonically.** No personal appearance in court is necessary or permitted. To appear and be heard telephonically on this Motion, you must set up and use an account with Court Solutions, LLC. You can set up an account at [www.courtsolutions.com](http://www.courtsolutions.com) or by calling Court Solutions, LLC at (917) 746-7476.

**If you disagree with this Motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the Motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the relief sought herein in advance without hearing.

**LUIS PERALES and CYNTHA  
PERALES**

By: /s/ Joseph S. Davidson

Joseph S. Davidson  
SULAIMAN LAW GROUP, LTD.  
2500 South Highland Avenue  
Suite 200  
Lombard, Illinois 60148  
+1 630-581-5450  
jddavidson@sulaimanlaw.com

**CERTIFICATE OF SERVICE**

I, Joseph S. Davidson, certify that I caused a copy of this notice and Motion to be served, via electronic case filing to Marilyn O. Marshall, Chapter 13 Trustee and via United States First Class Mail® to each entity listed on service list affixed, on July 1, 2020 before the hour of 5:00 p.m. from the office located at 2500 South Highland Avenue, Suite 200, Lombard, Illinois.

/s/ Joseph S. Davidson

Label Matrix for local noticing  
0752-1

Consumer Portfolio Services  
P.O. Box 57071

PRA Receivables Management, LLC

Case 19-02618  
Northern District of Illinois  
Eastern Division  
Wed Jul 1 14:14:38 CDT 2020

Irvine, CA 92619-7071

PO Box 41021  
Norfolk, VA 23541-1021

Quantum3 Group LLC as agent for  
Sadino Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

U.S. Bankruptcy Court  
Eastern Division  
219 S Dearborn  
7th Floor  
Chicago, IL 60604-1702

Bank of Missorui  
2700 S Lorraine Place  
Sioux Falls, SD 57106-3657

CEP AMERICA ILLINOIS LLP  
WAKEFIELD AND ASSOCIATES  
PO BOX 50250  
KNOXVILLE, TN 37950-0250

Capital One, N.A.  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

City Of Chicago Department of Finance  
C/O Arnold Scott Harris P.C.  
111 W Jackson Blvd Suite 600  
Chicago, IL 60604-3517

City of Chicago Department  
Of Administrative Hearing  
City of Chicago - DOAH C/O Arnold Scott  
111 W. Jackson Ste 600  
Chicago, IL 60604-3517

City of Chicago Dept of Finance  
Po Box 88292  
Chicago, IL 60680-1292

Comenity Capital/mprc  
Attn: Bankruptcy Dept.  
Po Box 182125  
Columbus, OH 43218-2125

Comenity Capital/mprc  
Po Box 182120  
Columbus, OH 43218-2120

Consumer Portfolio Svc  
19500 Jamboree Rd.  
Irvine, CA 92612-2411

Consumer Portfolio Svc  
Attn: Bankruptcy  
Po Box 57071  
Irvine, CA 92619-7071

(p)CONTINENTAL FINANCE COMPANY LLC  
PO BOX 8099  
NEWARK DE 19714-8099

Convergent Outsourcing, Inc.  
800 SW 39th St.  
Renton, WA 98057-4927

Convergent Outsourcing, Inc.  
Attn: Bankruptcy  
Po Box 9004  
Renton, WA 98057-9004

Credit One Bank  
Attn: Bankruptcy  
Po Box 98873  
Las Vegas, NV 89193-8873

Credit One Bank  
Po Box 98872  
Las Vegas, NV 89193-8872

Fingerhut  
6250 Ridgewood Rd.  
Saint Cloud, MN 56303-0820

Fingerhut  
Attn: Bankruptcy  
6250 Ridgewood Rd.  
Saint Cloud, MN 56303-0820

Fingerhut  
Attn: Bankruptcy  
Po Box 1250  
Saint Cloud, MN 56395-1250

First Premier Bank  
3820 N. Louise Ave.  
Sioux Falls, SD 57107-0145

First Premier Bank  
Attn: Bankruptcy  
Po Box 5524  
Sioux Falls, SD 57117-5524

Genesis Bc/Celtic Bank  
Attn: Bankruptcy  
268 S. State St., Ste. 300  
Salt Lake City, UT 84111-5314

Genesis Bc/celtic Bank  
Po Box 4499  
Beaverton, OR 97076-4499

HYUNDAI CAPITAL AMERICA DBA  
HYUNDAI MOTOR FINANCE  
PO BOX 20809  
FOUNTAIN VALLEY, CA 92728-0809

(p)HYUNDAI MOTOR FINANCE COMPANY  
PO BOX 20809  
FOUNTAIN VALLEY CA 92728-0809

Hyundai Motor Finance  
Attn: Bankruptcy  
Po Box 20829  
Fountain City, CA 92728-0829

(p)JEFFERSON CAPITAL SYSTEMS LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

Jefferson Capital Systems LLC  
Po Box 1999  
Saint Cloud, MN 56302

Kohls/Capital One  
Kohls Credit  
Po Box 3120  
Milwaukee, WI 53201-3120

Kohls/Capital One  
N56 W 17000 Ridgewood Dr.  
Menomonee Falls, WI 53051-5660

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

MERRICK BANK  
Resurgent Capital Services  
PO Box 10368  
Greenville, SC 29603-0368

Merrick Bank/CardWorks  
10705 S. Jordan Gateway  
South Jordan, UT 84095-3977

Merrick Bank/CardWorks  
Attn: Bankruptcy  
Po Box 9201  
Old Bethpage, NY 11804-9001

MidAmerica Bank & Trust Company  
5109 S, Broadband Ln.  
Sioux Falls, SD 57108-2208

MidAmerica Bank & Trust Company  
Attn: Bankruptcy  
Po Box 400  
Dixon, MO 65459-0400

Portfolio Recovery  
Po Box 41021  
Norfolk, VA 23541-1021

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Premier Bankcard, Llc  
Jefferson Capital Systems LLC Assignee  
Po Box 7999  
Saint Cloud Mn 56302-7999

Quantum3 Group LLC as agent for  
Bluestem and SCUSA  
PO Box 788  
Kirkland, WA 98083-0788

Quantum3 Group LLC as agent for  
Comenity Bank  
PO Box 788  
Kirkland, WA 98083-0788

Quantum3 Group LLC as agent for  
Comenity Capital Bank  
PO Box 788  
Kirkland, WA 98083-0788

Quantum3 Group LLC as agent for  
GPCC I LLC  
PO Box 788  
Kirkland, WA 98083-0788

State Collection Service  
Attn: Bankruptcy  
Po Box 6250  
Madison, WI 53716-0250

State Collection Service  
Po Box 6250  
Madison, WI 53716-0250

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

Synchrony Bank/Walmart  
Attn: Bankruptcy Dept.  
Po Box 965060  
Orlando, FL 32896-5060

Synchrony Bank/Walmart  
Po Box 965024  
Orlando, FL 32896-5024

TD Bank USA, N.A.  
C O WEINSTEIN & RILEY, PS  
2001 WESTERN AVENUE, STE 400  
SEATTLE, WA 98121-3132

Target  
Po Box 673  
Minneapolis, MN 55440-0673

Target  
Target Card Services  
Mail Stop NCB-0461  
Minneapolis, MN 55440

Verizon  
by American InfoSource as agent  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118-7901

Cynthia Perales  
4458 S. Sawyer Ave.  
Chicago, IL 60632-2819

Joseph S Davidson  
Sulaiman Law Group, Ltd.  
2500 S. Highland Ave  
Suite 200  
Lombard, IL 60148-7103

Luis Perales  
4458 S. Sawyer Ave.  
Chicago, IL 60632-2819

Marilyn O Marshall  
224 South Michigan Ste 800  
Chicago, IL 60604-2503

Patrick S Layng  
Office of the U.S. Trustee, Region 11  
219 S Dearborn St  
Room 873  
Chicago, IL 60604-2027

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Continental Finance Company  
Attn: Bankruptcy  
Po Box 8099  
Newark, DE 19714

(d)Continental Finance Company  
Po Box 8099  
Newark, DE 19714

Hyundai Motor Finance  
10550 Talbert Ave.  
Fountain Valley, CA 92708

Jefferson Capital Systems LLC  
Po Box 7999  
Saint Cloud Mn 56302-9617

(d)Jefferson Capital Systems, LLC  
16 Mcleland Rd  
Saint Cloud, MN 56303

Portfolio Recovery Associates, LLC  
c/o Carsons  
POB 41067  
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Comenity Capital/mprc  
Attn: Bankruptcy Dept.  
Po Box 182125  
Columbus, OH 43218-2125

(d)MidAmerica Bank & Trust Company  
5109 S. Broadband Ln.  
Sioux Falls, SD 57108-2208

(d)Quantum3 Group LLC as agent for  
Sadino Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

End of Label Matrix  
Mailable recipients 60  
Bypassed recipients 3  
Total 63

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In Re:

LUIS PERALES and CYNTHA  
PERALES

Debtor(s)

Case No. 1:19-bk-02618

Chapter 13

Honorable Timothy A. Barnes

**MOTION TO AUTHORIZE RELEASE OF INSURANCE PROCEEDS**

**NOW COME**, LUIS PERALES and CYNTHA PERALES (the "Debtors"), through undersigned counsel, requesting entry of an order authorizing release of insurance proceeds. In support thereof, Debtors assert as follows:

1. On January 31, 2019, Debtor filed a voluntary petition for relief under Chapter 13, Title 11, United States Code (the "Bankruptcy Code"). Dkt. #1.
2. Debtor's Modified Chapter 13 Plan, dated May 7, 2019, was confirmed on May 9, 2019 (the "Confirmed Plan").
3. The Confirmed Plan provides:

**3.3 Secured claims excluded from 11 U.S.C. § 506.**

These claims will be paid in full under the plan with interest at the rate stated below. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Unless otherwise ordered by the court, the claim amount stated on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) controls over any contrary amount listed below. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of Creditor	Collateral	Amount of claims	Interest rate	Monthly plan payment	Estimated total payments by trustee
Consumer Portfolio Svc	2017 Hyundai Tuscon Value Sport Utility 4D 25,000 miles Value according to www.kbb.com, Private Party Value (Good Condition)	\$19,884.44	7.50%	\$618.53 Disbursed by: <input checked="" type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$22,423.57

**5.1 Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*

- ☐ The sum of \$ .
- ☒ 100.00% of the total amount of these claims, an estimated payment of \$43,026.72.
- ☒ The funds remaining after disbursements have been made to all other creditors provided for in this plan.

4. On April 11, 2020, Debtors' 2017 Hyundai Tuscon was involved in an automobile fire and was determined to be a total loss.

5. The current pay-off amount prior to any insurance funds being applied towards the account is \$10,997.80 until October 22, 2020.

6. Debtors' 2017 Hyundai Tuscon is insured through Allstate Insurance Company, who has authorized settlement of \$14,846.00. *See Exhibit A.*

7. Allstate Insurance Company will be issuing payment in amount of \$10,997.80 to Consumer Portfolio Services.

8. Accordingly, Debtors are seeking Court approval for (1) Allstate Insurance Company to release \$10,997.80 to Consumer Portfolio Services to pay off Debtors' vehicle loan; and (2) for Allstate Insurance Company to release \$3,848.20 directly to Debtors to help them obtain replacement transportation.

**WHEREFORE**, the Debtor respectfully requests the following:

- A. an order authorizing Allstate Insurance Company to release \$10,997.80 in insurance proceeds to Consumer Portfolio Services to pay off Debtors' vehicle loan;
- B. an order authorizing Allstate Insurance Company to release \$3,848.20 directly to Debtors to help them obtain replacement transportation; and
- C. such other relief as the Court deems just and proper.

DATED: July 1, 2020

Respectfully submitted,

**LUIS PERALES and CYNTHA PERALES**

By: /s/ Joseph S. Davidson

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